

Board of Selectmen
Regular Meeting Agenda
Thursday, July 19th at 7:30pm
Town Hall Meeting Room

Attendance: First Selectman Chris Spaulding, Selectman Stephan Grozinger, Selectman Brian Gordon, Town Administrator Jonathan Luiz, Town Attorneys Ira Bloom and Nick Bamonte, Administrative Assistant Randi Derene and Weston Residents.

This meeting was videotaped and can be viewed on Channel 79 and on our Town of Weston website.

1- **Call to order:** First Selectman Spaulding called the meeting to order at 7:30pm

2- **Pledge of Allegiance:** led by Maria Proto

3- **Discussion / decision about a request by Weston Dog Park Inc. for the Board of Selectmen to authorize the First Selectman to enter into an agreement with Weston Dog Park Inc. concerning the funding, establishment and operation of a Dog Park to be located on a portion of the town-owned 36 acre property commonly referred to as the “Moore Property” and identified on the Weston Tax Assessor’s Map 17, Block 1, Lot 17, with access by Lord’s Highway East: Selectman Grozinger recused himself.** Selectman Grozinger announced that he is recusing himself for this agenda item and that he would be leaving the room while the item is being discussed. Selectman Grozinger then left the Meeting Room. First Selectman Grozinger reviewed

background of the dog park, including getting approvals from P&Z, Parks and Rec, & Conservation. He added the draft agreement was negotiated by the previous administration and at this point to move forward, he feels there are a few things that need to be tightened up. First Selectman Spaulding said in order to move things forward, he would like to ask to be given authorization to sign this agreement, and with the caveat some minor issues are addressed. Selectman Gordon moved and First Selectman Spaulding seconded to authorize the First Selectman to sign an agreement with the Weston Dog Park, Inc subject to the following conditions: 1) Project funding is appropriated by the town budget process and/or the town supplemental appropriation process, 2) the agreement is modified at the recommendation of legal counsel, and 3) the final agreement is substantially in compliance with the Draft Memorandum of Understanding shared with the public prior to the Town Vote with regard to the proposed Dog Park. Motion carried with First Selectman Spaulding and Selectman Gordon voting yes and Selectman Grozinger abstaining from the vote. At the conclusion of the vote, Selectman Grozinger then returned to the Meeting

Room.

4- Discussion / decision about a proposed ordinance prohibiting fracking waste associated with natural gas and oil extraction. Town Attorney, Ira Bloom and Nick Bamante and Sustainability Committee members: Marc de Mul, Ken Coulson and Amy Kalafa. Mr. deMul explained that several other towns in CT has already passed this ordinance. Attorney Bloom and Attorney Bamante discussed suggested edits to the draft ordinance. Mr. Luiz stated that once the Board of Selectmen (BOS) BOS is ready, the ordinance would be sent to a public hearing and that following a public hearing the BOS could then make slight modifications followed by a vote by the BOS. Selectman Grozinger explained that he is not in favor of the ordinance because it is not necessary to ban activities that are realistically not going to happen in Weston. He went on to say that provisions in the ordinance could restrict town road maintenance operations because oil byproducts used in those operations could be banned per the ordinance. Selectman Gordon said t that while he does not think the ordinance applies to Weston today, but he cannot say what tomorrow will bring in terms of fracking waste being transported, stored, spread on roads, and included in other products. First Selectman Spaulding feels the rewards of an ordinance like this would outweigh the risks. Selectman Gordon moved to establish a public hearing on Thursday, August 2nd 2018 at 6pm in the Town Hall Meeting Room for purposes of inviting the public to speak about a proposed ordinance prohibiting fracking waste associated with natural gas and oil extraction. First Selectman Spaulding seconded. Selectman Grozinger opposed. Motion passed 2-1 with First Selectman Spaulding and Selectman Gordon voted yes and Selectman Grozinger voting no.

5- Discussion / decision about a proposed ordinance regulating the municipal separate storm sewer system (MS4) First Selectman Spaulding said this is a result of a federal mandate enforced by the state where we are required, on regular basis, to monitor catch basins for water quality and potential contaminates. He further stated we need to put legal structures in place to address that. The BOS and Attorney Bloom and Bamante discussed suggested edits to the ordinance. NO MOTION

6- Discussion / decision about amending Chapter 39 of the Town Code of Ordinances to enable the Town to enforce ordinance violations by issuing civil citations with monetary penalties. First Selectman Spaulding explained that an amendment is required in order to have the ability to issue financial civil citations in circumstances where people are in violation of the ordinance. BOS and Attorney Bloom and Bamante discussed suggested edits to the ordinance. Selectman Gorzinger expressed his concern to having just one hearing officer hear appeals. He also expressed concern about the First Selectman being the only person that appoints a hearing

officer. NO MOTION

7- Discussion / decision about amending Chapter 145 of the Town Code of Ordinances to enable the Town to issue citations to enforce violations of the Code - Town Attorney Bamante explained this is related to abandoned vehicles on personal property. BOS and Attorneys Bloom and Bamante discussed suggested edits to this ordinance. NO MOTION

8- Discussion / decision about a proposed ordinance prohibiting the use of plastic bags in retail establishments. First Selectman Spaulding said the Town of Redding is currently moving forward with this ordinance. Sustainability Committee Chairman Marc de Mul stated this is a small step to ban plastic bags. He said Sustainability has already spoken with businesses in Weston Center, especially Peter's Market. He said Peter's Market is on board. First Selectman Spaulding suggested moving the Public Hearing to September 6th to leave more time for editing all the ordinances. Selectman Gordon moved to establish a public hearing on Thursday, September 6, 2018 at 6pm in the Town Hall Meeting Room for purposed of inviting the public to speak about a proposed ordinance prohibiting the use of plastic bags in retail establishments. Selectman Grozinger seconded. Motion carried unanimously.

Selectman Gordon moved to amend the motions made earlier tonight regarding setting the date for a Public Hearing, changing the Public Hearing date from August 2, 2018 to September 6, 2018. First Selectman Spaulding seconded. Selectman Grozinger abstained. Motion carried.

9- Discussion about a memorandum of law from the Town Attorney concerning Senate Bill No. 11 (An Act Concerning Connecticut's response to Federal Tax Reform) and CT Public Act 18-49: First Selectman Spaulding said we were strongly recommended by the Town Attorney to not take action on this matter at this time. Town Attorney Bloom elaborated .

10- Discussion / decision about establishing a policy concerning town trees that falls on private property – tabling until next meeting.

11- Discussion / decision to authorize the First Selectman to enter into an agreement with Brown & Brown Insurance to provide broker services associated with employee benefits. Robert Fitzpatrick , Brown and Brown Insurance: First Selectman Spaulding explained the Request for Proposal (RFP) Process, noting that our Insurance Advisory Committee endorsed Brown and Brown. Mr. Luiz stated Brown & Brown would help us in the Health Insurance market and collective bargaining agreements, adding that this company will save us approximately \$10,000 a year when compared to our current broker fees. Mr. Fitzpatrick said he currently handles many surrounding towns such as Darien, Ridgefield and Easton. He also

stated he has experience working with unions. Selectman Grozinger moved, pursuant to a recommendation from the insurance Advisory Committee, that the First selectman is authorized to enter into an agreement with Brown & Brown Insurance to provide broker services associated with employee benefits. Selectman Gordon seconded. Motion carried unanimously.

12- Approval of Minutes – July 5, 2018 Selectman Grozinger moved to approve the unapproved July 5th 2018 Board of Selectman minutes. Selectman Gordon seconded. Motion carried unanimously.

13- F/S Update-

First Selectman Spaulding spoke about plans for a community wide tag sale, profits will go to the Senior Center. Selectman Grozinger spoke about closing a section of Valley Forge Road during a specific time for community and family bike riding/walking. Proposed date is September 1st.

14- Adjournment: Selectman Grozinger moved to adjourn at 9:21pm. Selectman Gordon seconded. Motion carried unanimously.

Minutes submitted by:

Randi Derene, Administrative Assistant

Approved: August 16, 2018